

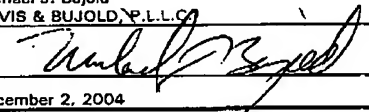

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PTO/SB/21 (12-87)

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| <b>TRANSMITTAL FORM</b><br><br><i>(to be used for all correspondence after initial filing)</i>   | Application Number   | 10/688,727  |
|  | Filing Date  | September 23, 2003  |
|  | First Named Inventor   | George MAURO  |
|  | Group Art Unit   | 3724  |
|  | Examiner Name  | Ghassem Alle Fax: (703) 872-9306  |
| Total No. of Pages in this Submission: 3   | Attorney Docket Number   | NATAPE P16BUSP1   |
| ENCLOSURES (check all that apply)  |  |   |
| <input type="checkbox"/> Fee Transmittal Form<br><input type="checkbox"/> Fee attached<br><input checked="" type="checkbox"/> Amendment/Response<br><input type="checkbox"/> After Final<br><input type="checkbox"/> Affidavits/declaration(s)<br><input type="checkbox"/> Extension of Time Request<br><input type="checkbox"/> Express Abandonment Request<br><input type="checkbox"/> Information Disclosure Statement<br><input type="checkbox"/> Certified Copy of Priority Document(s)<br><input type="checkbox"/> Response to Missing Part/s Incomplete Application<br><input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53 | <input type="checkbox"/> Assignment papers (for an Application)<br><input type="checkbox"/> Drawing(s)<br><input type="checkbox"/> Licensing-related Papers<br><input type="checkbox"/> Petition Routing Slip (PTO/SB/69) and Accompanying Petition<br><input type="checkbox"/> To Convert a Provisional Petition<br><input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address<br><input type="checkbox"/> Terminal Disclaimer<br><input type="checkbox"/> Small Entity Statement<br><input type="checkbox"/> Request for Refund | <input type="checkbox"/> After Allowance Communication to Group<br><input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences<br><input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)<br><input type="checkbox"/> Proprietary Information<br><input type="checkbox"/> Status Letter<br><input type="checkbox"/> Additional Enclosure(s) (please identify below): |
| REMARKS  |  |   |
| SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT   |  |   |
| Firm or Individual Name  | Michael J. Bujold<br>DAVIS & BUJOLD, P.L.L.C.  |   |
| Signature  |   |   |
| Date   | December 2, 2004   |   |
| CERTIFICATE OF TRANSMISSION  |  |   |
| I hereby certify that this correspondence is being facsimile transmitted to the USPTO on: December 2, 2004   |  |   |
| Type or printed name   | Michael J. Bujold  |   |
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|  | Date: December 2, 2004   |   |

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12/2/04

PATENT APPLICATION

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

|                      |   |  |
|----------------------|---|--|
| In re Application of | : | George MAURO                                       |
| Serial no.           | : | 10/668,727   |
| Filed                | : | September 23, 2003                                 |
| For                  | : | FRUIT CORING DEVICE FOR PRODUCING A<br>CLOSED BORE |
| Group Art Unit       | : | 3724   |
| Examiner             | : | Ghassem Alie                                       |
| Docket               | : | NATAPE P16BUSP1                                    |

The Commissioner for Patents  
U.S. Patent & Trademark Office  
P. O. Box 1450  
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## RESPONSE TO NOTICE OF NON-COMPLIANT AMENDMENT

Dear Sir:

**[XXX] NO FEES ARE PAYABLE WITH RESPECT TO THIS RESPONSE.**

In response to the Notice of Non-Compliant Amendment (37 CFR 1.121) dated November 18, 2004, please enter the following additional election.

Reconsideration of the raised requirement for election of species is respectfully requested in view of the following remarks.

The Applicant believes that the present invention contains various embodiments of a single inventive concept. All twenty one species contain the features presently recited in claim 1. Moreover, the Applicant believes that claim 1 is allowable and consequently all species of the invention should be prosecuted in one and the same application for efficiency reasons. It is respectfully submitted that all of the species of the invention represent similar ways of obtaining the same desired results disclosed within this application.

Notwithstanding the above, in order to fulfill the Examiner's request, the Applicant provisionally elects, with traverse, to prosecute species VI of the claimed invention shown in Figures 7 and 7A of the drawings. The Applicant also provisionally elects, with traverse, claims 1, 2, 4, 5, 12, 13, 16, 17 and 20 which are readable on the elected species to be prosecuted on the merits.

The Applicant does not waive any rights with respect to the non-elected species and does not intend to abandon that subject matter. If the Examiner makes the election requirement final, the Applicant respectfully requests that the non-elected species be withdrawn from further consideration but remain in this application subject to reinstatement, in the event that a generic claim is allowed, or for possible filing of a divisional application(s).